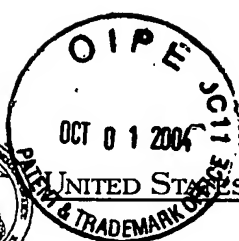


COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/675,225	09/29/2003	Kameron W. Maxwell	MITOS:002A

CONFIRMATION NO. 9871

FORMALITIES LETTER



OC000000012207537

20995
 KNOBBE MARTENS OLSON & BEAR LLP
 2040 MAIN STREET
 FOURTEENTH FLOOR
 IRVINE, CA 92614

Date Mailed: 03/29/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/05/2004 HALI11 00000092 111410 10675225

01 FC:2001	395.00 OP
02 FC:2051	65.00 OP
03 FC:2201	132.00 OP
04 FC:2202	45.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$174** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$624** for a Small Entity

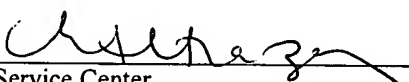
- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$174**

- **\$129** for **3** independent claims over 3.
- **\$45** for **5** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT



Case Docket No. MITOS.002A

Date: September 28, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Maxwell, et al.

App. No. : 10/675,225

Filed : September 29, 2003

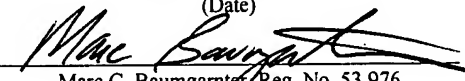
For : NITROXIDE
RADIOPROTECTOR
FORMULATIONS AND
METHODS OF USE

Group Art Unit : Unknown

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 28, 2004

(Date)


Marc C. Baumgartner, Reg. No. 53,976

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: MAIL STOP MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(f), which was mailed by the Office on March 29, 2004, enclosed are:

- (X) A signed Declaration.
- (X) An extension of time to respond for four (4) month(s) is hereby requested.

Time Extension Fee:

- (X) Four months (\$740 small entity)
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) A Notice to File Missing Parts.
- (X) Return prepaid postcard.

10/06/2004 HAL111 00000004 111410 10675225
01 FC:2254 13.00 DA 727.00 OP

10/05/2004 HAL111 00000092 111410 10675225
05 FC:2254 38.00 DA 727.00 OP

Adjustment date: 10/06/2004 HAL111 10675225
10/05/2004 HAL111 00000092 111410 10675225
05 FC:2254 38.00 CR -727.00 OP

PATENT

Case Docket No. MITOS.002A

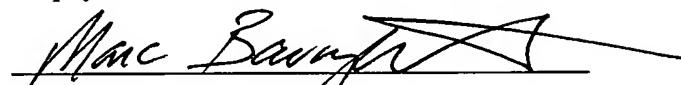
Date: September 28, 2004

(X) Fees as calculated below:

FILING FEE		\$ 385
FEE FOR TOTAL CLAIMS OVER 20 (SMALL ENTITY)		\$ 45
FEE FOR INDEPENDENT CLAIMS OVER 3 (SMALL ENTITY)		\$ 129
FEE FOR EXTENSION OF TIME (SMALL ENTITY)	4 month	\$ 740
SURCHARGE 37 CFR 1.16(e)		\$ + 65
TOTAL OF ABOVE CALCULATIONS		\$ 1,364
TOTAL FEES SUBMITTED HEREWITH		\$ 1,364

(X) A check in the amount of \$1,364 to cover the above fees is enclosed.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.


Marc C. Baumgarnter
Registration No. 53,976
Attorney of Record
Customer No. 20,995
(619) 235-8550